

# Notice of Allowability

Application No.

10/028,825

Examiner

Mai T. Tran

Applicant(s)

YAMASAKI ET AL.

Art Unit

2129

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/09/2007.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

David Vincent  
Supervisory Patent Examiner  
Tech Center 2100

### **REMARKS**

Applicants' amendment dated August 9, 2007 responding to the May 17, 2007 Office Action provided in the rejection of claims 1-9, wherein claims 1-9 have been amended and no new claims have been added. Claims 1-9 remain pending in the application and which have been fully considered by the examiner.

### **RESPONSE TO ARGUMENTS**

Applicant's arguments, see page 9 lines 5-6, page 10 lines 17-18, page 11 lines 6-8, and page 12, filed August 9, 2007, with respect to claims 1-9 have been fully considered and are persuasive. The rejection of claims 1-9 under 35 U.S.C. § 103(a) has been withdrawn.

### **REASONS FOR ALLOWANCE**

1. Claims 1-9 are allowed.
2. The following is an examiner's statement of reasons for allowance:  
  
Applicants' arguments have been found persuasive. Therefore, claims 1-9 are allowed.
3. The closest prior art of Matsuzaki et al (U. S. Patent No. 5,357,439) teaches custom-made manufacturing system and custom-made manufacturing method, and further in view of Jerome D. Johnson (U. S. Patent No. 5,625,776) teaches electronic proposal preparation system for selling computer equipment and copy machines. Claims 1-9 are

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considered allowable since when reading the claims in light of the specification, as per MPEP §2111.01 or *In re Sneed*, 710 F.2d 1544, 1548, 218 USPQ 385, 388 (Fed. Cir. 1983), none of the references of record alone or in combination disclose or suggest the combination of limitations specified in independent claims 1, 2, 6, 7, 8, and 9 including “said actual composite apparatus is actually set up by actual units and the power is switched on, to recognize unit information for specifying actual units to be actually composed itself” (supported at e.g., page 4, lines 7-20, page 21, lines 1-10) as specified in claims 1, 2, 6, 7, 8, and 9.

To the extent that this feature is not found in the prior art cited by Examiner, the present case is held allowable over the art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### CONCLUSION

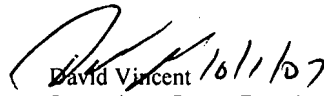
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mai T. Tran whose telephone number is (571) 272-4238. The examiner can normally be reached on 10:00 am - 6:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.T.T  
Patent Examiner

  
David Vincent 10/1/07  
Supervisory Patent Examiner  
Tech Center 2100